



PATENT
Attorney Docket No.: ALSC-00300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------------|---|-----------------------------------|
| In re Application of: |) | Group Art Unit: 2814 |
| |) | Examiner: Ha, N. |
| Ritu Shrivastava |) | |
| |) | PETITION FOR ISSUANCE OF A |
| Serial No.: 09/315,599 |) | CORRECTED PATENT |
| |) | |
| Filed: May 20, 1999 |) | 162 North Wolfe Road |
| |) | Sunnyvale, CA 94086 |
| For: A METHOD OF AND APPARATUS |) | (408)530-9700 |
| FOR INTEGRATING FLASH |) | |
| EPROM AND SRAM CELLS ON A |) | |
| COMMON SUBSTRATE |) | |

Honorable Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant hereby petitions for issuance of a corrected patent under 35 U.S.C §1.322(b) because a certificate of correction is inappropriate in form for correcting the mistakes as printed in the issued patent. In particular, in the above-referenced patent, informal drawings accompanied the original filing of the application. Along with the first Office Action, mailed September 26, 2000, the Examiner included a Notice of Draftsperson's Patent Drawing Review in which the Draftsperson objected to the drawings for several reasons under 37 C.F.R. §1.84. The Notice stated, "the Examiner will require submission of new, corrected drawings when necessary." New, corrected drawings were never requested by the Examiner, nor were they submitted by the Applicant. In fact, in the Notice of Allowability, mailed on February 1, 2005, the Examiner checked box No. 3, indicating acceptance of the drawings filed on May 20, 1999 (with the original application).

Due to this error, the Applicant never submitted formal drawings in the file and it has issued, and been published, with drawings that do not meet a number of the requirements of 37 C.F.R. §1.84. There is no doubt that the requirements of 37 C.F.R. §1.84 are intended to ensure that those seeking to understand an often-complicated invention solely through the words and images contained in a patent have every possible advantage. Without clear drawings, a patent begins to shirk one of its primary tasks: to put the public on notice of the patented invention. In this case, someone reading the patent as it has been issued might not understand the patented

invention to the extent that he or she would have if the formal drawings had been included. Because of the nature of this error, the Applicant petitions the Commissioner to issue a corrected patent under 35 U.S.C. §254 and 37 C.F.R. §1.322(b) in order that the corrected patent will be more appropriate in form than a certificate of correction accompanying the patent as it has been issued.

The Applicant has not completed a Certificate of Correction Form PTO-1050 or a Request for Certificate of Correction of Patent for PTO Mistake, instead the Applicant has attached a set of formal drawings appropriately marked for inclusion with the above-referenced patent. To completely correct the mistake, a Certificate of Correction form that is at least 12 pages in length would be necessary, thus it is the Applicant's opinion that a corrected patent should be issued; however, should the Commissioner determine that a certificate of correction is appropriate to correct this mistake, please contact the undersigned at your earliest convenience whereupon the Applicant will supply the necessary forms.

If the Commissioner or any other person responsible for correcting this patent has questions or comments concerning this petition, they are encouraged to contact the undersigned at (408) 530-9700.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: June 23, 2005

By: Jonathan O. Owens
Jonathan O. Owens
Reg No.: 37,902
Attorneys for Applicant

Enclosures (12 pages)

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 6-23-05 By: Jonathan O. Owens



Final
~~PATENT~~

PATENT
Attorney Docket No.: ALSC-00300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------------|---|-----------------------------|
| In re Application of: |) | Group Art Unit: 2814 |
| Ritu Shrivastava |) | Examiner: Ha, N. |
| Serial No.: 09/315,599 |) | TRANSMITTAL LETTER |
| Filed: May 20, 1999 |) | 162 North Wolfe Road |
| For: A METHOD OF AND APPARATUS |) | Sunnyvale, California 94086 |
| FOR INTEGRATING FLASH |) | (408) 530-9700 |
| EPROM AND SRAM CELLS ON A |) | Customer Number 28960 |
| COMMON SUBSTRATE |) | |

Honorable Commissioner of Patents
Washington, D.C. 20231

Sir:

Enclosed please find a petition for issuance of a corrected patent for filing with the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: June 23, 2005

By: *Jonathan O. Owens*
Jonathan O. Owens
Reg. No.: 37,902

Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR 1.6(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 6-23-05 By: *Jonathan O. Owens*

RECEIVED
OIPETAP

JUL 13 2005